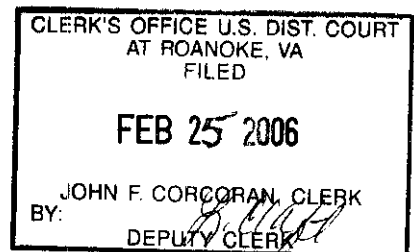


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



JEFFREY WHITE-BEY,)	
Petitioner,)	Civil Action No. 7:06CV00038
)	
v.)	<u>FINAL ORDER</u>
)	
ROANOKE CITY CIRCUIT COURT,)	By: Hon. Glen E. Conrad
Respondent.)	United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the above referenced petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice and stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent, if known.

ENTER: This 25th day of February, 2006.

[Signature]

United States District Judge